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ORIGINAL FILED

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Richard W. Wiaking  
Clerk, U.S. District Court  
Northern District of California  
San Jose

FILED

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

SAN JOSE DIVISION

CV 11 - 0713 MEJ

12 CADENCE DESIGN SYSTEMS, INC., a  
13 Delaware corporation,

14 Plaintiff,

15 v.

16 OEA INTERNATIONAL, INC., a Washington  
17 corporation and LONESTAR INVENTIONS  
LP, a Texas limited partnership,

18 Defendant.

Case No.

COMPLAINT FOR PATENT  
INFRINGEMENT AND  
DECLARATORY JUDGMENT OF  
NON-INFRINGEMENT AND PATENT  
INVALIDITY

DEMAND FOR JURY TRIAL

1 Plaintiff Cadence Design Systems, Inc. ("Cadence") alleges the following in support of its  
2 Complaint for Patent Infringement And Declaratory Judgment Of Non-Infringement And Patent  
3 Invalidity and Demand For Jury Trial against defendants OEA International, Inc. ("OEA") and  
4 Lonestar Inventions, LP.

5 **PARTIES**

6 1. Cadence is a Delaware corporation having a principle place of business at 2600  
7 Seely Avenue, San Jose, CA 94134.

8 2. On information and belief, OEA is a Washington corporation having a principle  
9 place of business at 155 East Main Avenue, Suite 110, Morgan Hill, CA 95037. OEA is  
10 registered to do business in California.

11 3. On information and belief, Lonestar Inventions LP ("Lonestar") is a Texas limited  
12 partnership, with a principle place of business at 8838 Chalk Knoll Drive, Austin, Texas 78735.  
13 According to records at the Texas Secretary of State, Lonestar has a single shareholder, Lonestar  
14 Inventions Management, LLC ("LIM"). Lonestar's original Certificate of Limited Partnership  
15 filed with the Texas Secretary of State stated the "[t]he location of the principle office in the  
16 United States where records are kept is c/o O. Ersed Akacasu, OEA International, Inc., 155 East  
17 Man Avenue, Suite 110, Morgan Hill, CA 95037." On information and belief, OEA  
18 International, Inc. is defendant OEA. The Articles of Organization of LIM list Osman Ersed  
19 Akasu and Gerald Tallinger as LIM's managers. On information and belief, Osman Ersed Akasu  
20 and Gerald Tallinger are the President and Vice-President, respectively, of OEA

21 **JURISDICTION**

22 4. This infringement action arises under the patent laws of the United States, Title 35,  
23 United States Code. This is also an action for declaratory relief brought pursuant to the  
24 Declaratory Judgment Act, 28 U.S.C. §§ 2201 and 2202. This Court has subject matter  
25 jurisdiction over this action pursuant to 28 U.S.C. §§ 1331, 1338(a).

26 5. This Court has personal jurisdiction over OEA because OEA designs, uses, offers  
27 for sale and/or sells electronic design automation products, including parasitic extraction tools  
28

(referred to as "the Accused OEA Products") in the United States, including in the State of California.

6. This Court has personal jurisdiction over Lonestar because, on information and belief, agents and/or employees of Lonestar, *inter alia*, conduct patent licensing discussions in the State of California.

### VENUE

7. Venue is proper in this District pursuant to 28 U.S.C. §§ 1391(b)-(c) and 1400(b). Plaintiff Cadence is a Delaware corporation with a principal place of business in San Jose, California, which is in the Northern District of California. On information and belief, OEA is a Washington corporation, with a principal place of business in Morgan Hill, California, which is also in the Northern District of California. OEA has committed acts of infringement in the Northern District of California. On information and belief, Lonestar has conducted activities in the Northern District of California. Accordingly, venue in the Northern District of California is proper under 28 U.S.C. §§1391(b), 1400(b).

### COUNT I

#### (Infringement of United States Patent No. 7,299,428 Against OEA)

8. Paragraphs 1-7 of the Complaint as set forth above are incorporated herein by reference.

9. On November 20, 2007, United States Patent No. 7,299,428 ("the '428 patent") entitled "Model Stamping Matrix Check Technique In Circuit Simulator" was duly and legally issued to Yutao Ma, Bruce McGaughy and Zhihong Liu. Cadence is the owner of all right, title and interest to the '428 patent by virtue of assignment. A copy of the '428 patent is attached hereto as Exhibit A and made a part hereof.

10. Upon information and belief, OEA has infringed and continues to infringe the '428 patent under 35 U.S.C. § 271. The infringing acts include, but are not limited to, making, using, importing, selling and offering for sale OEA's software products in the United States. The Accused OEA Products include but are not limited to its Spiral product. OEA has been performing these acts without authorization from Cadence.



11. OEA's acts of infringement have caused damage to Cadence in an amount subject to proof at trial. Under 35 U.S.C. § 284, Cadence is entitled to recover from OEA the damages sustained by Cadence as a result of OEA's infringement of the '428 patent. OEA's infringement of Cadence's exclusive rights under the '428 patent will continue to damage Cadence's business, causing it irreparable harm, for which there is no adequate remedy at law, unless enjoined by this Court under 35 U.S.C. § 283.

12. Upon information and belief, OEA's infringement of the '428 patent has been willful and deliberate, given OEA's knowledge of the patent and its reckless disregard of the possibility that its conduct was infringing, and entitles Cadence to increased damages under 35 U.S.C. § 284.

## **COUNT II**

### **(Infringement of United States Patent No. 6,536,023 Against OEA)**

13. Paragraphs 1-7 of the Complaint as set forth above are incorporated herein by reference.

14. On March 18, 2003, United States Patent No. 6,536,023 ("the '023 patent") entitled "Method And System For Hierarchical Metal-End, Enclosure And Exposure Checking" was duly and legally issued to Muni B.S. Mohan and Kevin E. Moynihan. Cadence is the owner of all right, title and interest to the '023 patent by virtue of assignment. A copy of the '023 patent is attached hereto as Exhibit B and made a part hereof.

15. Upon information and belief, OEA has infringed and continues to infringe the '023 patent under 35 U.S.C. § 271. The infringing acts include, but are not limited to, making, using, importing, selling and offering for sale OEA's software products in the United States. The Accused OEA Products include but are not limited to its Spiral product. OEA has been performing these acts without authorization from Cadence.

16. OEA's acts of infringement have caused damage to Cadence in an amount subject to proof at trial. Under 35 U.S.C. § 284, Cadence is entitled to recover from OEA the damages sustained by Cadence as a result of OEA's infringement of the '023 patent. OEA's infringement of Cadence's exclusive rights under the '023 patent will continue to damage Cadence's business,

1 causing it irreparable harm, for which there is no adequate remedy at law, unless enjoined by this  
2 Court under 35 U.S.C. § 283.

3 17. Upon information and belief, OEA's infringement of the '023 patent has been  
4 willful and deliberate, given OEA's knowledge of the patent and its reckless disregard of the  
5 possibility that its conduct was infringing, and entitles Cadence to increased damages under 35  
6 U.S.C. § 284.

7 **COUNT III**

8 **(Infringement of United States Patent No. 6,721,922 Against OEA)**

9 18. Paragraphs 1-7 of the Complaint as set forth above are incorporated herein by  
10 reference.

11 19. On April 13, 2004, United States Patent No. 6,721,922 ("the '922 patent") entitled  
12 "System For Electronic Circuit Characterization, Analysis, Modeling And Plan Development"  
13 was duly and legally issued to Don Walters, Paul Foster and Tina Najibi. Cadence is the owner  
14 of all right, title and interest to the '922 patent by virtue of assignment. A copy of the '922 patent  
15 is attached hereto as Exhibit C and made a part hereof.

16 20. Upon information and belief, OEA has infringed and continues to infringe the '922  
17 patent under 35 U.S.C. § 271. The infringing acts include, but are not limited to, making, using,  
18 importing, selling and offering for sale OEA's software products in the United States. The  
19 Accused OEA Products include but are not limited to its Spiral, Panther and Cougar products.  
20 OEA has been performing these acts without authorization from Cadence.

21 21. OEA's acts of infringement have caused damage to Cadence in an amount subject  
22 to proof at trial. Under 35 U.S.C. § 284, Cadence is entitled to recover from OEA the damages  
23 sustained by Cadence as a result of OEA's infringement of the '922 patent. OEA's infringement  
24 of Cadence's exclusive rights under the '922 patent will continue to damage Cadence's business,  
25 causing it irreparable harm, for which there is no adequate remedy at law, unless enjoined by this  
26 Court under 35 U.S.C. § 283.

27 22. Upon information and belief, OEA's infringement of the '922 patent has been  
28 willful and deliberate, given OEA's knowledge of the patent and its reckless disregard of the



possibility that its conduct was infringing, and entitles Cadence to increased damages under 35 U.S.C. § 284.

**COUNT IV**

**(Infringement of United States Patent No. 7,076,415 Against OEA)**

23. Paragraphs 1-7 of the Complaint as set forth above are incorporated herein by reference.

24. On April 28, 2000, United States Patent No. 7,076,415 ("the '415 patent") entitled "System For Mixed Signal Synthesis" was duly and legally issued to Michael J. Demler, Stephen Lim, Geoffrey Ellis, Leslie D. Spruiell, Robert W. McGuffin and Bent H. Sorensen. Cadence is the owner of all right, title and interest to the '415 patent by virtue of assignment. A copy of the '415 patent is attached hereto as Exhibit D and made a part hereof.

25. Upon information and belief, OEA has infringed and continues to infringe the '415 patent under 35 U.S.C. § 271. The infringing acts include, but are not limited to, making, using, importing, selling and offering for sale OEA's software products in the United States. The Accused OEA Products include but are not limited to its Spiral, Panther and Cougar products. OEA has been performing these acts without authorization from Cadence.

26. OEA's acts of infringement have caused damage to Cadence in an amount subject to proof at trial. Under 35 U.S.C. § 284, Cadence is entitled to recover from OEA the damages sustained by Cadence as a result of OEA's infringement of the '415 patent. OEA's infringement of Cadence's exclusive rights under the '415 patent will continue to damage Cadence's business, causing it irreparable harm, for which there is no adequate remedy at law, unless enjoined by this Court under 35 U.S.C. § 283.

27. Upon information and belief, OEA's infringement of the '415 patent has been willful and deliberate, given OEA's knowledge of the patent and its reckless disregard of the possibility that its conduct was infringing, and entitles Cadence to increased damages under 35 U.S.C. § 284.

**COUNT V**

**(Infringement of United States Patent No. 7,152,215 Against OEA)**

28. Paragraphs 1-7 of the Complaint as set forth above are incorporated herein by reference.

29. On April 13, 2004, United States Patent No. 7,152,215 ("the '215 patent") entitled "Dummy Fill For Integrated Circuits" was duly and legally issued to Taber H. Smith, Vikas Mehrotra and David White. Cadence is the owner of all right, title and interest to the '215 patent by virtue of assignment. A copy of the '215 patent is attached hereto as Exhibit E and made a part hereof.

30. Upon information and belief, OEA has infringed and continues to infringe the '215 patent under 35 U.S.C. § 271. The infringing acts include, but are not limited to, making, using, importing, selling and offering for sale OEA's software products in the United States. The Accused OEA Products include but are not limited to its Spiral product. OEA has been performing these acts without authorization from Cadence.

31. OEA's acts of infringement have caused damage to Cadence in an amount subject to proof at trial. Under 35 U.S.C. § 284, Cadence is entitled to recover from OEA the damages sustained by Cadence as a result of OEA's infringement of the '215 patent. OEA's infringement of Cadence's exclusive rights under the '215 patent will continue to damage Cadence's business, causing it irreparable harm, for which there is no adequate remedy at law, unless enjoined by this Court under 35 U.S.C. § 283.

32. Upon information and belief, OEA's infringement of the '215 patent has been willful and deliberate, given OEA's knowledge of the patent and its reckless disregard of the possibility that its conduct was infringing, and entitles Cadence to increased damages under 35 U.S.C. § 284.

**COUNT VI**

**(Declaratory Judgment of Non-infringement of U.S. Patent No. 5,208,725 Against Lonestar)**

33. Paragraphs 1-7 of the Complaint as set forth above are incorporated herein by reference.



1           34. Cadence is a world-wide leader in the design and sale of electronic design  
2 automation tools used by engineers for the design of integrated circuits. Due to Cadence's  
3 expertise and leadership in the electronic design automation field, companies often retain  
4 Cadence to design integrated circuits for them. In the electronics industry, such activities are  
5 referred to as "design services." One such company Cadence has performed design services for is  
6 Sony Corporation. Under the terms of the contract governing the design services Cadence  
7 provides to Sony, Cadence has certain indemnification obligations for third party claims alleging  
8 that the integrated circuit designs Cadence supplies to Sony Corporation infringe the patents of  
9 others.

10           35. On November 5, 2010, defendant Lonestar filed a complaint for patent  
11 infringement against Sony Electronics Inc. and Sony Computer Entertainment America, Inc.,  
12 which, on information and belief, are subsidiaries of Sony Corporation. Lonestar's complaint  
13 accuses the Sony CXD2819R of infringing U.S. Patent No. 5,208,725 ("the '725 patent"). The  
14 Sony CXD2819R was designed by Cadence for Sony pursuant to a design services contract. A  
15 copy of the '725 patent is attached hereto as Exhibit F and made a part hereof.

16           36. Cadence denies that Sony CXD2819R infringes or has infringed any valid claim of  
17 the '725 patent, directly, indirectly, contributorily, or otherwise and contends that the '725 patent  
18 invalid for failure to comply with the patent laws of the United States, including, without  
19 limitation, the provisions of 35 U.S.C. §§ 102, 103 and 112.

20           37. Accordingly, Cadence seeks a Declaratory Judgment from this Court pursuant to  
21 Federal Rule of Civil Procedure 57 and 28 U.S.C. §§ 2201 and 2202, that the '725 patent is not  
22 infringed by Cadence.

23           38. Cadence also seeks a Declaratory Judgment from this Court pursuant to Federal  
24 Rule of Civil Procedure 57 and 28 U.S.C. §§ 2201 and 2202, declaring that the '725 patent is  
25 invalid for failure to comply with the patent laws of the United States, including, without  
26 limitation, the provisions of 35 U.S.C. §§ 102, 103 and 112.



1           39. A judicial declaration is necessary and appropriate at this time so that Cadence  
2 may ascertain its rights and duties with respect to the manufacture and sale of its products that  
3 Lonestar has alleged infringes the '725 patent.

4                                   **PRAYER FOR RELIEF**

5           Cadence requests that the Court find in its favor and against OEA and Lonestar and that  
6 the Court grant the following relief:

7           a. Judgment that one or more of the claims of the '428, 023, '922, '415, and '215  
8 patents have been infringed, directly, indirectly, contributorily and/or by inducement, either  
9 literally and/or under the doctrine of equivalents, by OEA;

10          b. Judgment in favor of Cadence for the full amount of its actual damages caused by  
11 OEA's direct, indirect, contributory and/or induced infringement of the '428, 023, '922, '415, and  
12 '215 patents, which include lost profits and/or a reasonable royalty and an assessment of interests  
13 and costs, and trebling the same by reason of the willful, wanton, and deliberate nature of such  
14 infringement;

15          c. Judgment that OEA's direct, indirect, contributory and/or by induced infringement  
16 of the '428, 023, '922, '415, and '215 patents is willful;

17          d. Judgment that OEA be preliminarily and permanently enjoined from further  
18 activity or conduct that infringes the claims of the '428, 023, '922, '415, and '215 patents;

19          e. Judgment declaring that Cadence has not infringed and does not infringe the '725  
20 patent, directly, indirectly, or contributorily;

21          f. Judgment declaring that the '725 patent is invalid;

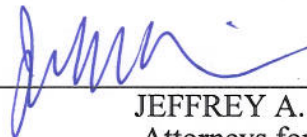
22          g. Judgment that this is an "exceptional case" and awarding Cadence its reasonable  
23 attorneys' fees and costs pursuant to 35 U.S.C. § 285; and

24          h. Judgment that the Court award Cadence such other and further relief as is just and  
25 proper under the circumstances.

Respectfully submitted,

ORRICK, HERRINGTON & SUTCLIFFE LLP

Dated: 15 February 2011



JEFFREY A. MILLER  
Attorneys for Plaintiff

**JURY DEMAND**

Cadence hereby demands a trial by jury on all issues set forth in its Complaint for patent Infringement And Declaratory Judgment Of Non-Infringement And Patent Invalidity pursuant to Fed.R.Civ.P. 38 and Civil L.R. 3-6.

Respectfully submitted,

ORRICK, HERRINGTON & SUTCLIFFE LLP

Dated: 15 February 2011



JEFFREY A. MILLER  
Attorneys for Plaintiff